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## ADLER &amp; ASSOCIATES


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E. MAIL: Ben@adlerandassociates.comINTELLECTUAL PROPERTY LAW  
(PATENT, BIOTECHNOLOGY, COMPUTER,  
TRADEMARK & TRADE SECRET LAW)

Application Number: 10/815,084  
Filing Date.: March 31, 2004  
First Named Inventor: Marchitto  
Title: *Electromagnetic Treatment of Tissues and Cells*  
Group Art Unit: 3739  
Examiner Name: Roane, A.F.  
Attorney Docket No.: D6462CIP2

MAIL STOP RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Request for Continued Examination, Petition for Extension of Time and Form PTO-2038 is being transmitted via facsimile to Examiner Aaron F. Roane at 571-273-8300 on the date indicated below:

Date:

Sept 28, 2008  
Benjamin Aaron Adler, Ph.D., J.D.REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114:
  - a. ☒ Previously submitted
    - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on July 8, 2008.
    - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
    - iii. ☐ Other \_\_\_\_\_
  - b. ☐ Enclosed.

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- i. — Amendment/Reply:
- ii. — Affidavit(s)/Declarations: Copy of Declaration under 37 C.F.R. §1.32.
- iii. — Information Disclosure Statement (IDS)
- iv. ☒ Other: Petition for Extension of Time from one month to three months

## 2. Miscellaneous:

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of      months.

b. ☐ Other: \_\_\_\_\_

## 3. Fees:

a. ☒ Payment by credit card (Form PTO-2038 enclosed).

i. ☒ RCE fee (\$405) required under 37 C.F.R. § 1.17(e)

ii. ☒ Extension of Time Fee from one month to three months (\$465)

b. ☒ **ONLY IN THE ABSENCE OF FORM PTO-2038**, the Director is hereby authorized to debit the following fees from Deposit Account No. 07-1185

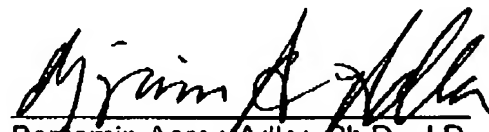
i. ☒ RCE fee (\$405) required under 37 C.F.R. § 1.17(e)

ii. ☒ Extension of Time Fee from one month to three months (\$465).

iii. ☐ Other \_\_\_\_\_

DATE: Sept 28, 2008

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